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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/649,459	08/27/2003	Terumasa Suyama	2842.18US01	5781

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EXAMINER

RUTLAND WALLIS, MICHAEL

ART UNIT PAPER NUMBER

2835

DATE MAILED: 06/12/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/649,459

Applicant(s)

SUYAMA ET AL.

Examiner

Michael Rutland-Wallis

Art Unit

2835

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 April 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 August 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- ☒ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

Applicant's arguments with respect to amended claims, filed 04/27/06, with respect to the rejections of claims 1-15 have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new grounds of rejection is made below.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-4 and 7-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Anzai et al. (U.S. Pat. No. 6,271,745)

With respect to claims 1, 8 and 12 Anzai teaches an electronic key system for use in a vehicle having an accessory (for example glove compartment lock item 61), the electronic key system comprising: Anzai teaches the use of a key described as a device such as a card see column 8 lines 17-33, while not disclosed to be electronic, the use of

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electronic keys in controlling vehicle operations is old and well known in the art and would have been obvious to one of ordinary skill in the art at the time of the invention to use electronic key in place of the described card of Anzai in order to increase reliability and/or security if it is held the teachings of Anzai do not already to teach such an electronic device. Anzai teaches the use of a control unit (see circuitry 1 and 1a) which performs communication with the key and identification interface of Anzai, while the communication interface of Anzai is performed with wires it is well known that wireless communication may be substituted in place of hardwired communication as an alternate means to transmit information in cases where the transmitter and receiver may be far apart. Anzai teaches a user operable input device (fingerprint sensor item 13) arranged in the vehicle to input identification information; a first verification device (item 103b fingerprint processor) connected to the input device to compare the input identification information with pre-registered identification information. Anzai teaches a restriction information generation device (item 133 CPU) connected to the first verification device (item 103b fingerprint processor), wherein when the input identification information matches the pre-registered identification information, operation restriction information for designating an operation of the vehicle and the accessory that is to be restricted is registerable in the restriction information generation device; a second verification device (item 105) arranged in the control unit and storing reference specific code, wherein the second verification device compares specific code registered in the electronic key with the reference specific code; and Anzai teaches the restriction control (limiting access to the glove box for example through locking interface item 55) for restricting the operation

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designated by the operation restriction information when the specific code matches (i.e. fingerprint data) the reference specific code.

With respect to claims 2 and 3 Anzai teaches the input device is an individual identification device for detecting a distinctive bodily feature (i.e. fingerprint data) of an individual, and the pre-registered identification information is an pre-registered distinctive bodily feature, and wherein the first verification device compares the distinctive bodily feature detected by the individual identification device with the pre-registered distinctive bodily feature to determines whether the detected distinctive bodily feature matches the pre-registered distinctive bodily feature.

With respect to claims 4, 11 and 13 Anzai teaches the electronic key system includes a master key (driver's fingerprint) and a sub-key (a device such as a card see column 8 lines 17-33), which is used in lieu of the master key.

With respect to claim 7 Anzai teaches the restriction information generation device, the identification device, and the first verification device are arranged in the vehicle.

With respect to claims 9-10 and 14-15 Anzai teaches the key has code which is output and outputs the ID code by means of wireless communication when receiving the request signal, and the restriction control device unlocks a door of the vehicle when the door of the vehicle is locked and the received ID code is an authorized one.

Claims 5-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Anzai et al. (U.S. Pat. No. 6,271,745) in view of Murakami et al. (U.S. Pat. No. 6,281,599)

With respect to claims 5 and 6 Anzai does not teach the sub-key including either the restriction information generation device or the individual identification device and the first verification device. The use of containing circuitry for vehicle control functions in the key or key fob type devices is well known in the art see for example Murakami. Murakami teaches the control and verification circuitry may be located in the key. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Anzai to put the circuitry of the restriction information generation device or the individual identification device in the key in order to increase the security of the key.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Enoyoshi (U.S. Pat. No. 6,683,391) teaches a vehicle security system and restriction method which utilizes master and sub-keys.

Applicant's amendment necessitated the new grounds of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the

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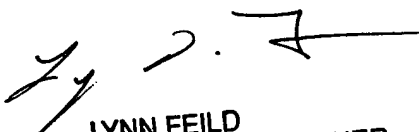
shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Rutland-Wallis whose telephone number is 571-272-5921. The examiner can normally be reached on Monday-Thursday 7:30AM-6:00PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynn D. Feild can be reached on 571-272-2092. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MRW


LYNN FEILD
SUPERVISORY PATENT EXAMINER